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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/287,530	04/07/1999	KENJI MASAKI	325772009100	6413

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EXAMINER

CHOOBIN, BARRY

ART UNIT PAPER NUMBER

2621

DATE MAILED: 02/26/2002

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.
09/287,530

Applicant(s)
Masaki

Examiner
Choobin Barry

Art Unit
2621



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Dec 19, 2001
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above, claim(s) 16-20 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirements.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☐ All b) ☐ Some* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- *See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- 15) ☐ Notice of References Cited (PTO-892)
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 18) ☐ Interview Summary (PTO-413) Paper No(s) _____
- 19) ☐ Notice of Informal Patent Application (PTO-152)
- 20) ☐ Other: _____

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DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed on December 19, 2001 have been fully considered but they are not persuasive.

As to claims 1, 6, and 11, applicant argues prior art fails to teach or suggest each pixel is an expression of multiple bits.

The Examiner disagrees. Yoshida et al in Image processor disclose "each density data in a block is arranged with distance of one pixel. A block data consists of total 19 bits ($= 2+7+8+2$).... Refer for example to column 7, lines 17-31 and, Fig.6, corresponds to each pixel is an expression of multiple bits.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-15 are rejected under 35 U.S.C. 102(b) as being anticipated by Yoshida et al (U.S. Patent 5,583,941)

As to claims 1,6,11, Yoshida et al disclose an image processing apparatus including:

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a function to place bits for describing information different from information of image data obtained by image processing on original image data (column 7, lines 23-31 and Fig.6), respectively in specific bit positions of pixel data at predetermined positions of said processed image (Fig.6 LSB corresponds to specific bit position).

As to claims 2,7,12, Yoshida et al disclose pixels are dispersed at a plurality of predetermined positions on said image (column 7, lines 53-57 where block data are embedded dispersed in a hard copy).

As to claims 3,8,13, Yoshida et al disclose said information different from information of said processed image data is information describing the contents of image processing performed (column 10, lines 15-22 where mark registration section 408 marks such as “secret” corresponds to information describing the contents of image) on said original image data to obtain said processed image data.

As to claims 4,9,14, Yoshida et al disclose information different from information of said processed image data is information describing time when said image processing is performed on original image data to obtain said processed image data (column 2, lines 27-36 where registration data determines the repetition time corresponding to “when image processing is performed”).

As to claims 5,10,15 and 20, Yoshida et al disclose information different from information for describing said processed image data is information describing time when said bits are placed (column 2, lines 27-36 where registration data determines the repetition time corresponding to “when image processing is performed”).

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Conclusion

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

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CONTACT INFORMATION

Any inquiry concerning this communication from the examiner should be directed to Barry Choobin whose telephone number is (703) 306-5787.

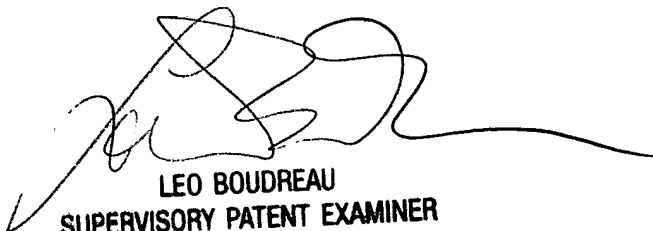
The examiner can normally be reached on Monday through Friday from 8:00 a.m. to 4:30 p.m. If attempts to reach examiner by telephone are unsuccessful, the examiner's supervisor, Leo Boudreau, can be reached at (703) 305-4706.

Any response to this action should be mailed to: Commissioner of Patents and Trademarks Washington, D.C. 20231 or faxed to: (703) 872-9314, (for formal communications intended for entry), (703) 308-5397 (for informal or draft communications, please label "PROPOSED" or "DRAFT").

Hand delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application should be directed to the Group Receptionist whose telephone number is (703)305-3900.

Barry Choobin
Patent Examiner
Group Art 2621
August 20, 2001



LEO BOUDREAU
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600